



General Assembly

February Session, 2004

Substitute Bill No. 5235

* _____ HB05235ENVF IN031704 _____ *

**AN ACT CONCERNING THE DISPOSAL AND USE OF PUBLIC
DRINKING WATER TREATMENT SOLIDS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-209d of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2004*):

3 The Commissioner of Environmental Protection may establish, by
4 regulations adopted in accordance with the provisions of chapter 54,
5 categories of materials which, if used in accordance with standards
6 adopted by the commissioner to protect the environment and public
7 health, shall not be considered solid waste under section 22a-207, as
8 amended, or subject to a permit under this chapter or chapter 446k.
9 [On or before November 1, 1996, the commissioner shall adopt such
10 regulations to facilitate the disposal of solids which are by-products of
11 water treatment processes which regulations shall provide for the
12 approval of uses for such solids without further regulation under this
13 chapter.] Notwithstanding the provisions of the regulations adopted
14 under this section or section 22a-209, the Commissioner of
15 Environmental Protection shall not prohibit the use of waste sand from
16 the casting of metals as cover, road base, fill or other purposes at a
17 solid waste disposal area permitted under section 22a-208a, provided
18 the concentration of toxic materials in the sand is below the level of
19 hazardous waste under the federal Resource Conservation and

20 Recovery Act of 1976, as amended, and any regulations promulgated
21 to carry out said act and further provided any person who disposes of
22 such sand under this section shall provide certification, to the
23 satisfaction of the Commissioner of Environmental Protection, that
24 such sand is not hazardous. Notwithstanding the provisions of section
25 22a-209, a public water supply company may reuse public drinking
26 water treatment solids in accordance with best management practices
27 and controls described in an operations plan approved in writing by
28 the commissioner. A public water supply company may reuse such
29 treatment solids in accordance with said plan until the commissioner
30 issues a general permit to such company for the use of such treatment
31 solids pursuant to section 22a-209f.

32 Sec. 2. Section 12-76 of the general statutes is repealed and the
33 following is substituted in lieu thereof (*Effective October 1, 2004, and*
34 *applicable to assessment years commencing on or after October 1, 2004*):

35 (a) Land owned or taken by any municipal corporation, including
36 any metropolitan district established under provisions of the general
37 statutes or any special act, for the purpose of creating or furnishing a
38 supply of water for its use (1) shall be exempt from taxation when all
39 of the inhabitants of the town in which such land is situated have the
40 right to use, and do use, such water supply upon the same terms as the
41 inhabitants of such municipal corporation; (2) in the case where some
42 proportion of the town's inhabitants have the right to use, and do use,
43 such water supply, shall be subject to taxation such that the total tax
44 liability for such land shall be the tax liability for such land multiplied
45 by a fraction the numerator of which is the number of the inhabitants
46 of the town who do not have the right to use, and do not use, such
47 water supply and the denominator of which is the total number of the
48 town's inhabitants; (3) otherwise such land shall be [liable] subject to
49 taxation, shall be assessed in the town in which such land is situated to
50 the corporation owning or controlling such water supply, shall be
51 valued at what would be its fair market value were it improved farm
52 land and shall be assessed at the uniform rate required by subsection
53 (b) of section 12-62a, notwithstanding the provisions of section 12-63 or

54 any special act. Any such municipal corporation shall, with respect to
55 any such land acquired on or after January 1, 1978, which is situated in
56 a town other than that in which such municipal corporation is located,
57 make annual payments to such town equal to the taxes which would
58 otherwise be due if such land were assessed in accordance with section
59 12-63, exclusive of any taxes on improvements made on such land
60 subsequent to acquisition by such corporation.

61 (b) Notwithstanding the provisions of subsection (a) of this section,
62 any regional water district created by special act after January 1, 1977,
63 which is required by such act to make payments in lieu of taxes to
64 towns in which such district is located, shall not be required to make
65 any such payments, in any manner or amount, other than as
66 specifically provided in accordance with such special act.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004, and applicable to assessment years commencing on or after October 1, 2004</i>

ENV**Joint Favorable Subst. C/R****FIN**